

WRIT PETITION No.7789 of 2007

Between:

....Petitioner

....Respondents

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THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.7789 of 2007

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ORDER:

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The premises of the petitioners are connected with power supply, through Service Connection No.F3 005122 A-030415 under Category-I. The petitioners were being levied the consumption charges under that Category. However, with effect from November 2006, the respondents started levying the consumption charges treating it as Category-II. The petitioners challenge the action of the respondents. They contend that they were not put on notice, before changing the Category of power supply.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents.

The terms and conditions of power supply framed by the respondents, enable them to alter the categorisation, in case, it is found that the power is being utilised for a purpose different from the one, for which it

was initially agreed. However, before any such alteration is undertaken, respondents are under obligation to issue show cause notice to the consumer. Such an exercise was not undertaken in the instant case. Straight away, the power supply to the petitioners was changed from Category-I to Category-II.

On this short ground, the Writ Petition is allowed and the respondents are directed to treat the power supply to the premises of the petitioners under Category-I. It shall be open to them to take necessary steps, in accordance with the terms and conditions of power supply, in case, they intend to alter the categorisation. It is further directed that the difference amount of the bills paid by the petitioner from November 2006 on wards shall be adjusted in future bills. There shall be no order as to costs.

17.04.2007

JSU